

BALTIMORE COUNTY COUNCIL MINUTES
LEGISLATIVE SESSION 2015, LEGISLATIVE DAY NO. 12
July 6, 2015 6:00 P.M.

A. The meeting was called to order by Chair Bevins at 6:09 P.M. The Chair asked the audience to rise for a moment of silent meditation and the Pledge of Allegiance to the Flag. There were approximately 45 persons in attendance and the following Councilmembers were present:

TOM QUIRK	FIRST DISTRICT
VICKI ALMOND	SECOND DISTRICT
WADE KACH	THIRD DISTRICT
JULIAN E. JONES, JR.	FOURTH DISTRICT
DAVID MARKS	FIFTH DISTRICT
CATHY BEVINS	SIXTH DISTRICT
TODD K. CRANDELL	SEVENTH DISTRICT

B. APPROVAL OF JOURNAL

Upon motion by Councilwoman Jones, seconded by Councilman Crandell, the reading of the Journal Entries for the meeting of June 1, 2015 was waived and accepted unanimously.

C. ENROLLMENT OF BILLS

The Chair stated that the following Bills were passed by the County Council and signed by the County Executive. She certified and delivered to the Secretary, Bills 39-15, 40-15, 41-15, 42-15, 43-15, 44-15, 45-15 and 46-15.

D. INTRODUCTION OF BILLS

Bill 51-15, entitled An Act for the purpose of repealing the Official Chesapeake Bay Critical Area Map and Chesapeake Bay Critical Area Modified Buffer Area Maps; adopting the new Chesapeake Bay Critical Area Geodatabase to replace these maps; making conforming changes to the Baltimore County Code and Baltimore County Zoning Regulations; and generally relating to the Official County Chesapeake Bay Critical Area Map Geodatabase.

Bill 52-15, entitled An Act for the purpose of strengthening and clarifying the county's tobacco enforcement law; providing that the Health Officer shall issue a citation for a first violation of the prohibition on distribution to minors; repealing the calendar year limitation on enforcement; making this Act an emergency measure; and generally relating to revising county law on the distribution of tobacco products to minors.

Bill 53-15, entitled An Act for the purpose of providing the definition of a Regional Outlet Shopping Center; permitting such a use under certain circumstances in the B.L. (Business, Local) and M.L.-I.M. (Manufacturing, Light-Industrial Major) zones; and generally relating to a Regional Outlet Shopping Center.

Bill 54-15, entitled An Act for the purpose of expanding the type of community benefits that may be provided by an applicant for a Planned Unit Development; and generally relating to Planned Unit Developments.

E. CALL OF BILLS FOR FINAL READING AND VOTE

Bill 47-15, CEB - Security Equipment Enhancement Program, was called. Deborah Richardson appeared. Councilwoman Almond moved to amend this Bill with the following amendment:

On page 2, in line 7, strike “\$69,392” and substitute “\$69,383”.

Councilman Kach seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Kach, seconded by Councilwoman Almond, Bill 47-15, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 48-15, M.L. Zone, was called. Councilman Crandell commented. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 49-15, Zoning Regulations - Parking, was called. Councilwoman Almond commented. There being no further discussion, this Bill passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Bill 50-15, Zoning Regulations - Conservation Burial Ground, was called. Councilmembers Kach and Marks commented. Councilman Jones then moved to amend this Bill with the following amendments:

1. On page 1, after the Purpose paragraph, insert the following:

“BY repealing and re-enacting, with amendments

Section 401.1.1.6
Baltimore County Zoning Regulations, as amended”

2. On page 2, after line 4, insert the following:

“6. The owner of a conservation burial ground shall [file a] RECORD IN THE LAND RECORDS OF BALTIMORE COUNTY A RECORD plat of the BOUNDARIES OF THE AREAS TO BE USED FOR burial [ground with] AS APPROVED BY the Department of Permits, Approvals and Inspections AND THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY. The RECORD plat shall depict the existence of the CONSERVATION easement that complies with the requirements of Section 14-121 of the Real Property Article of the Annotated Code of Maryland.”

3. On page 2, strike lines 5 through 20, inclusive, and substitute the following:

“7. THE OWNER OF LAND ON WHICH A CONSERVATION BURIAL GROUND IS TO BE LOCATED SHALL, AT THE TIME OF APPLICATION FOR THE SPECIAL EXCEPTION, SUBMIT TO THE DEPARTMENT OF ENVIRONMENTAL PROTECTION AND SUSTAINABILITY A HYDROGEOLOGIC STUDY

COMPLETED BY A HYDROGEOLOGIST, OR SIMILARLY QUALIFIED CONSULTANT, THAT INCLUDES THE FOLLOWING:

- A. A SCALED SITE PLAN SHOWING THE PROPOSED LOCATION OF THE AREAS TO BE USED FOR BURIAL, PROPERTY BOUNDARIES, TOPOGRAPHY, WATER BODIES, USDA SOIL TYPE, EXISTING AND PROPOSED WELLS AND SEPTIC SYSTEMS ON AND WITHIN 200 FEET OF THE PROPERTY LINE, AND EXISTING AND PROPOSED STRUCTURES ON AND WITHIN 200 FEET OF THE PROPERTY LINE; AND
 - B. A DETERMINATION OF THE DEPTH TO BEDROCK AND DEPTH AND FLOW DIRECTION OF GROUNDWATER BENEATH THE AREA PROPOSED AS A BURIAL GROUND; AND
 - C. AN ASSESSMENT OF PROPOSED BURIAL PRACTICES AND THE POTENTIAL IMPACTS OF BURIED REMAINS ON GROUNDWATER QUALITY, SURFACE WATER QUALITY, AND DOMESTIC WATER SUPPLIES IN RELATION TO HUMAN HEALTH AND THE ENVIRONMENT; AND
 - D. RECOMMENDATIONS AS TO THE APPROPRIATE NUMBER, AND THE LOCATION AND PLACEMENT, OF BURIAL SITES ON THE LAND BASED ON THE FINDINGS IN PARAGRAPHS A, B, AND C.”
4. On page 3, in line 3, after “CONSIDERATION OF”, strike “HYDROLOGIC ISSUES AND GENERAL HEALTH AND LIVABILITY ISSUES”, and substitute “POTENTIAL IMPACTS TO HUMAN HEALTH AND THE ENVIRONMENT”.

Councilman Kach seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Crandell, seconded by Councilwoman Almond, Bill 50-15, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

F. APPROVAL OF FISCAL MATTERS

The Chair stated that the Council would now consider Fiscal Matters. Extensive testimony on each item was taken at the Council’s work session on June 30, 2015. The witnesses who testified at the work session were available to restate their testimony if needed. If a Councilmember had any questions regarding a particular Fiscal Matter, that item would be discussed as a separate matter. Chair Bevins then called upon the Secretary to read the cover letters for Fiscal Matters 1 through 18.

1. Contracts - (2) - Tree Removal/Trimming & Stump Removal Services - DPW

Two contracts with Excel Tree Expert Company, Inc. and Forest Valley Tree & Turf, LLC, to provide tree removal and trimming, and stump removal services at various locations within Baltimore County, Maryland, on an on-call, as-needed basis.

2. Contracts - (2) - Serology & DNA Testing Services - Police

Two contracts with The Bode Technology Group, Inc. and Trinity DNA Solutions, LLC, to provide serology and DNA testing services on an on-call basis for the Baltimore County Police Department, Forensic Services Section, Biology Unit.

3. Amendment to Contract - Conmed, Inc. - Healthcare Services - Corrections

An amendment to the contract with Conmed, Inc., to extend the current term of the contract for one (1) two-year renewal option, with an expiration date of September 14, 2017, with no increase to the base cost for services. The contractor will continue to provide healthcare services including medical, mental/behavioral and dental.

4. Contract - MSP Superior Services, Inc. - High Dusting & Cleaning Services - OBF

A contract with MSP Superior Services, Inc., to provide the high dusting and cleaning of services above 12' in various buildings for Baltimore County.

5. Amendment to Contract - Ark Systems, Inc. - Fire Alarm Maintenance - OBF

An amendment to the contract with Ark Systems, Inc., to increase the total compensation paid to the contractor under the agreement. The original compensation cap is insufficient with the addition of the Baltimore County Public Library facilities to this agreement.

6. Contract - Clifton Larson Allen, LLP - Annual Audits - OBF

A contract with CliftonLarsonAllen, LLP, to annual audits of all Baltimore County financial records for Fiscal Years 2015-2019, by an independent public accounting firm. These audits are required as specified by Federal, State and County laws and regulations.

7. Contract - United States Tower Services Limited - Maintenance/Repair - Radio Towers - OIT

A contract with United States Tower Services Limited, to provide the maintenance of all Baltimore County radio towers, performing preventive maintenance on those and providing expert emergency repair as needed.

8. Contracts - (2) - Maintenance/Repair - HVAC - Computer Rooms, etc. - OIT

Two contracts with Power and Combustion, Incorporated and Mechanical Engineering and Construction Corporation, to provide the repairs and maintenance of all heating ventilation and air conditioning equipment in Baltimore County's computer rooms and facilities. The contractors will be required to perform preventative maintenance on those systems and provide expert emergency and non-emergency repair as needed.

9. Contract - Gaudenzia, Inc. - Residential Services - Substance Abuse - Detention Center - HHS

A contract with Gaudenzia, Inc., to provide a clinically managed, low-intensity residential service for persons discharged from the Baltimore County Detention (not remanded), who have substance abuse issues, and clinically managed, high-intensity residential service for persons remanded by the Baltimore County Detention Center.

10. Lease Agreement - Karma Ventures, LLC - Young Parent Support Ctr. (YPSC) & Essex Health Ctr. - HHS

A lease with Karma Ventures, LLC, to lease Units 100, 101, 102 and 103 of the retail center, located at 201 Back River Neck Road, in the Essex area of Baltimore County, Maryland, to be utilized by the Young Parent Support Center (YPSC), and the Department of Health, Essex Health Center. The YPSC serves 170 children and 370 adults annually. The Health Center serves 1300 clients annually.

11. Lease Agreement - Karma Ventures, LLC - Women, Infants & Children (WIC) Program - HHS

A lease with Karma Ventures, LLC, to lease a portion of the retail center, located at 201 Back River Neck Road, in the Essex area of Baltimore County, Maryland, to provide space for the Woman, Infants and Children (WIC) Program. The Essex WIC Program serves 2400 participants annually.

12. Amendment #2 to Contract - Associated Catholic Charities - Therapeutic After-school Activities - HHS

Amendment #2 to the contract with Associated Catholic Charities, to continue providing therapeutic after-school activities to Baltimore County youth, aged 5 to 12, with a serious emotional illness.

13. Contract - The IMAGE Center - Options Counseling & Medicaid Application Assistance - Aging

A contract with The IMAGE Center, to provide options counseling and Medicaid application assistance, to individuals who have been referred, and are residing in nursing homes, who wish to have more information about options to move to community settings.

14. Contracts - (24) - Assistance/Supervision - Physically/Mentally Impaired - Adult Daycare Services - Aging

Twenty-four contracts to provide the assistance and supervision needed to maintain physically and/or mentally impaired individuals in a community setting and avoid premature institutionalization, by providing adult daycare services to Baltimore County residents, aged 55 or over who request financial assistance to pay for these services.

15. Contract - The IMAGE Center - Support for Maryland Access Point (MAP) Office - Aging

A contract with The IMAGE Center, to provide support to the Maryland Access Point (MAP) office one day per week, on projects designed to enhance services to people with disabilities, and provide training for Area Agencies on Aging (AAA) staff, on disability-related topics.

16. Contracts - (4) - Congregate Meals for residents - Weinberg/TABCO/Parkview/Essex Co-Op - Aging

Four contracts to provide congregate meals to residents of the Weinberg Garden Apartments, TABCO Towers Apartments, Parkview at Dundalk Apartments and Essex Co-Op Apartments, who are 60 years of age or older, and disabled persons under 60 years old.

17. Contracts - (2) - Assisted Living Care Services/Measure of Monetary Support - Aging

Three contracts with Grace Manor Senior Assisted Living, LLC, and House of Victory Home Care, Inc. T/A The house of Victory Apostolic, to provide assisted living care services, and a measure of monetary support for expenses for individuals 62 years of age or older who meet income and eligibility requirements.

18. Contract - Walker Parking Consultants/Engineers, Inc.-Repairs/Demo. - Public Safety Bldg. & Drumcastle Garages - OBF

A contract with Walker Parking Consultants/Engineers, Inc. d/b/a Walker Parking Consultants; Walker Restoration Consultants, to handle repairs to the Public Safety Building garage, located on East Joppa Road; and the demolition and replacement of the parking garage at the Drumcastle building, located on York Road.

There being no discussion, upon motion by Councilman Quirk, seconded by Councilman Marks, Fiscal Matters 1 through 18 were unanimously approved.

G. MISCELLANEOUS BUSINESS

1. Correspondence - Non-Competitive Awards

At the direction of the Chairman, the Secretary read the correspondence from the Office of Budget and Finance listing the non-competitive awards made during May and June, 2015.

2. Res. 46-15 - Exchange of Real Property - Helix Health System, Inc.

At the direction of the Chair, the Secretary read this Resolution pursuant to §3-9-103, Baltimore County Code, 2003, as amended from time to time, to authorize the Baltimore County, Maryland (“the County”) to release and exchange County-owned real property (“the Property”) to an adjoining owner, Helix Health System, Inc. in exchange for real property for the purposes of consolidation or another public purpose. (“Substitute Property”). Amy Grossi appeared. There being no discussion, upon motion by Councilwoman Almond, seconded by Councilman Kach, this Resolution was unanimously approved.

3. Res. 47-15 - Planned Unit Development - Water’s Landing At Middle River

At the direction of the Chair, the Secretary read this Resolution of the Baltimore County Council to approve the review of a proposed general development planned unit development in accordance with County law. Councilmembers Bevins and Quirk commented. Councilmembers Marks, Quirk and Kach questioned Councilwoman Bevins. Councilwoman Bevins then moved to amend this Resolution with the following amendments:

1. On page 4, in the second RESOLVED clause, strike “improvements and enhancements of” and substitute “facilities or improvements that enhance”
2. On page 4, insert the following after the second RESOLVED clause:

“BE IT FURTHER RESOLVED, that as an additional community benefit, any local open space waiver fees generated by the development shall be used for the following projects:

1. Adult playground equipment for Eastern Regional Park;
2. Walking and biking trails to connect parks that serve the proposed PUD;
3. A volunteer fire company or other facility that serves the PUD;
4. The balance of any funds shall be used for any capital improvement that meets the requirements of Section 32-4-242(b)(6)(iii) in the Sixth Councilmanic District; and”

Councilman Quirk seconded the motion and this amendment passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

Thereafter, upon motion by Councilman Quirk, seconded by Councilwoman Almond, Resolution 47-15, as amended, passed by the following roll call vote:

Aye - Quirk, Almond, Kach, Jones, Marks, Bevins, Crandell
Nay - None

4. Res. 48-15 - Property Tax Exemption - DAV - Scott R. Steinberg

At the direction of the Chair, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Scott R. Steinberg, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Quirk, this Resolution was unanimously approved.

5. Res. 49-15 - Property Tax Exemption - DAV - Phillip R. Curran

At the direction of the Chair, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Phillip R. Curran, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Bevins, this Resolution was unanimously approved.

6. Res. 50-15 - Property Tax Exemption - DAV - William L. Gill

At the direction of the Chair, the Secretary read this Resolution to approve the refund of certain real property taxes collected from William L. Gill, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Kach, seconded by Councilman Quirk, this Resolution was unanimously approved.

7. Res. 51-15 - Property Tax Exemption - DAV - Debra L. Schools

At the direction of the Chair, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Debra L. Schools, who is entitled to an exemption from real property taxes by reason of the exemption afforded to surviving spouses of disabled veterans under State law. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Quirk, this Resolution was unanimously approved.

8. Res. 52-15 - Property Tax Exemption - DAV - Edward G. Rixham

At the direction of the Chair, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Edward G. Rixham, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilwoman Almond, seconded by Councilman Kach, this Resolution was unanimously approved.

9. Res. 53-15 - Property Tax Exemption - DAV - Edward B. Rohrs

At the direction of the Chair, the Secretary read this Resolution to approve the refund of certain real property taxes collected from Edward B. Rohrs, who is entitled to an exemption from real property taxes by reason of the exemption afforded to disabled veterans under State law. There being no discussion, upon motion by Councilman Crandell, seconded by Councilman Jones, this Resolution was unanimously approved.

10. Res. 54-15 - Endorsement of Application for DHCD Grant - Linwood Center, Inc.

This Resolution was withdrawn prior to the meeting.

11. Appointment - Baltimore County Agricultural Advisory Board - Scott Welsh

At the direction of the Chair, the Secretary read this correspondence from the County Executive requesting the appointment of Scott Welsh to the Baltimore County Agricultural Advisory Board to complete a 5 year term that expires June 30, 2018. There being no discussion, upon motion by Councilman Jones, seconded by Councilman Quirk, this appointment was unanimously approved.

12. Reappointment - Baltimore County Agricultural Advisory Board - Dr. Phylis Gail Ensor

At the direction of the Chair, the Secretary read this correspondence from the County Executive requesting the reappointment of Dr. Phylis Gail Ensor to the Baltimore County Agricultural Advisory Board for a 5 year term that expires June 30, 2019. There being no discussion, upon motion by Councilman Kach, seconded by Councilwoman Almond, this reappointment was unanimously approved.

13. Res. 55-15 - Refunding Revenue Bonds - Loyola High School

This Resolution was for introduction only.

14. Res. 56-15 - Planned Unit Development - Red Run Station

This Resolution was for introduction only.

15. Res. 57-15 - Planned Unit Development - Quarry Place

This Resolution was for introduction only.

There being no further business to come before the Council at this time, upon motion by Councilman Quirk, seconded by Councilwoman Almond, the meeting adjourned at 6:38 P.M.


Thomas J. Peddicord, Jr.